

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

A TRUE COPY

Apr 29, 2024

s/ D. Olszewski

Deputy Clerk, U.S. District Court
Eastern District of Wisconsin

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

information associated with the Roblox account username: KK24wi. the account is stored at premises owned, maintained, controlled, or operated by ROBLOX Corp., a company headquartered in San Mateo, California, located at 970 Park Place, San Mateo, CA 94403.

Case No. 24 MJ 109

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

Please see Attachment A.

located in the Eastern District of Wisconsin, there is now concealed (*identify the person or describe the property to be seized*):

Please see Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2242(b)	Coercion or enticement of a minor

The application is based on these facts:
Please see Affidavit.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (*give exact ending date if more than 30 days:* _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Heather Wright, Special Agent - FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
 telephone (specify reliable electronic means).

Date: 04/29/2024

William E. Duffin
Judge's signature

Judge's signature

City and state: Milwaukee, WI

Honorable William E. Duffin, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF AN
APPLICATION FOR A SEARCH WARRANT**

I, Heather N. Wright, being first duly sworn on oath, on information and belief state:

Introduction and Agent Background

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since July of 2010. Since August of 2020, I have been assigned to the FBI's Milwaukee Area Violent Crimes Task Force, a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies, armed motor vehicle robberies, and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I have participated in criminal investigations, surveillance, search warrants, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.

2. I make this affidavit in support of applications for search warrant for information associated with the following Roblox account with the following username (the "TARGET ACCOUNT"):

a. KK24wi

3. The TARGET ACCOUNT is stored at premises owned, maintained, controlled, or operated by ROBLOX Corp ("Roblox"), an online gaming platform company headquartered in San Mateo, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Roblox to disclose to the

government records and other information in its possession, pertaining to the subscriber(s) or customer(s) associated with the TARGET ACCOUNT.

4. I submit that there is probable cause to believe that evidence of violations of Title 18, United States Code, Section 2242(b) (coercion or enticement of a minor) will be located within the TARGET ACCOUNT.

5. The statements in this affidavit are based upon my investigation, information provided by other law enforcement officers, and on my experience and training as a Special Agent of the FBI. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence and instrumentalities of the violations of federal law committed by the account holders listed in Attachment A are located in the contents of specified Roblox account records.

PROBABLE CAUSE

6. On October 21, 2023, a call came into the National Threat Operations Center (NTOC) to report online grooming and cyberstalking by an unknown subject that resulted in the suicide attempt of the caller's minor daughter, hereinafter, "C.L." The caller, hereinafter, "S.L." stated that approximately two years ago, when C.L. was ten years old, C.L. was playing an online game called "Roblox" and was contacted by an individual that referred to himself as "James" via the chat function within the Roblox game. Both the C.L. and S.L. reside in Milwaukee, in the State and Eastern District of Wisconsin. During that time two years ago, "James" and C.L. communicated over Roblox discussing everything about life and school. "James" told C.L. to download a messaging application on her cellular phone and they were able to message and spoke via FaceTime on one or two occasions. "James" began to talk to C.L. in a sexual manner and

requested that C.L. send photos of herself to him. C.L. did send photos to “James” prior to her mother, S.L., locating the chats between C.L. and “James”; however, C.L. was clothed in the images that S.L. saw.

7. Once S.L. located the messages, she ended the communications and told “James” to never contact C.L. again. “James” immediately threatened S.L., that he was going to continue to contact C.L. and would ruin her life if not. “James” located S.L.’s email address and continued emailing S.L. threats to expose photos and continue to make C.L. miserable. “James” was able to figure out what virtual school C.L. was attending and lock C.L. out of her account, unable to do her school work. These issues continued and have continued through four additional online schools. S.L. stated that she was not sure where “James” was located and was told by the Milwaukee Public Schools that they could not ensure the safety of C.L. due to class sizes, and therefore, S.L. did not feel comfortable sending C.L. to school in person. Since “James” began cyberstalking C.L., C.L. has attempted suicide more than once.

8. S.L. believed that “James” was very tech savvy and may have administrator level access to some online school systems. S.L. believed that “James” may have also hacked their home internet system, and S.L. has changed their internet service provider on multiple occasions, but it still has not stopped “James” from doing the same things again. S.L. fears for C.L.’s safety. S.L. stated that “James” has become obsessed with C.L. and has further threatened to do the same things he has done to C.L., to S.L.’s five-year-old niece.

9. C.L. was interviewed and stated that during FaceTime calls, “James” used a filter so she was unsure of the individual she saw was what “James” actually looked like. C.L. stated that she believed that “James” was possibly Filipino. C.L. stated that her Roblox account name was “KK24wi” (TARGET ACCOUNT) and she did not remember what account “James” used

when they were communicating. C.L. stated that “James” did attempt to speak with C.L. in a sexual manner, but C.L. tried to change the subject each time “James” tried. C.L. stated that “James” requested C.L. take photos of herself and send them to “James” including one of C.L. in a sports bra. C.L. stated that all of the images that C.L. sent “James” were with clothing on. C.L. stated that she never sent “James” any sexually explicit or nude photos. C.L. stated that she blocked “James” on Roblox after her mother told her to end all communication with “James” and “James’s” account name should be recorded in her “blocked users.” C.L. also stated that other children that she had been friends with on Roblox, have told her that “James” had been harassing and cyberstalking them as well. C.L. attempted to login to her “Roblox” account in the presence of Agents, however, she stated that she had been locked out of her account and that “James” may have been responsible.

10. S.L. provided Agents with emails sent by “James” to her email account. Agents identified a source IP address from one of the emails dated September 30, 2023, and it was identified as 174.87.110.80. A subpoena was submitted to the listed Internet Service Provider, Charter Communications, Inc, and on March 18, 2024, Charter provided the subscriber information for that IP address to law enforcement. In the return, the subscriber was identified as Adrian Rojas, located at 438 Benito St, Apartment 1, Soledad, California. Rojas was born in 1991 and was 33 years old. A second male, Jose Escobar, was also identified as living at the residence. Escobar was born in 2004 and was 20 years old.

11. C.L. was shown photos of both Escobar and Rojas. C.L. did not identify either individual as the person she believed was “James,” although, as discussed above, “James” seemed to be using some type of filter when communicating with C.L.

12. I believe the records sought within this affidavit from Roblox will assist in identifying “James” and additional information associated with him.

BACKGROUND CONCERNING ROBLOX

13. Based on my training and experience, I have learned that Roblox is an online gaming platform. The company was founded in 2006. Roblox is an imagination platform, where users are encouraged to design, create, and interact with whatever they can imagine. Users of the Roblox platform can collaborate on building and exploring other users' creations. Registered users interact with other users through in-game or website chat, personal messaging, user forums, groups, or other similar features with available privacy settings designed to allow a user to restrict or disable communication with other users. Users search for, find, and play games made by other users. They play these games with other users from around the world.

14. Roblox users must create a Roblox account to play their games. To create a Roblox account, users create a unique username and password and provide other demographic information such as age or date of birth, gender, regional location or language preference. Users are asked to provide or may choose to add an email address to their account for added verification and/or to enable certain features. The primary purpose for this email address -is to provide account security, as this is the only way for Roblox to check the authenticity of an account owner. If the individual is a child, they are asked to provide a parent email address. Users may change the email address associated with their account at any time.

15. In addition to account setup on Roblox, the company may collect and process personal information from users directly for some of their features and activities.

16. If a user chooses to provide a phone number during registration, the user may receive a verification SMS after sign-up to confirm their ownership of the number, which would allow them to log in via mobile device. The user's phone number may also be used to recover lost or forgotten passwords. The user's phone number may also be used to access their contact

list to find other friends using Roblox.

17. When users agree to use the “Find Friends” feature, Roblox may ask their permission to access and collect personal information about their contacts in their address book on their mobile phone, either at the time they register for the service or otherwise. As part of the feature, Roblox will automatically access and collect information in their address book from time to time in order to sync their contacts. Roblox also offers the "Nearby Friends" feature that allows users to connect with other Roblox users/players near them.

18. Roblox users can purchase virtual currency or premium subscriptions and may use a variety of payment methods. When making purchases, users or their parents may be required to enter billing information, including name, billing address, credit card or other payment information, and billing email. The billing information, transaction details, and purchase history may also be retained and used by their payment processors.

19. 19. When a user posts, shares, or otherwise transmits comments or messages on Roblox via community features, such as public chat or private chat, forums, group walls, personal posts, etc., Roblox may collect these comments and messages, and they may be monitored, filtered, and moderated.

20. When users participate in the Roblox Developer Exchange Program, Roblox requires the user to provide an IRS W-9 form or a W-8 form.

21. When users contact or send communications to Roblox, for example when the user contacts customer support, reports a problem, or submits questions, concerns, or comments regarding their service or its content, Roblox may collect contact information such as email address and other important information about the inquiry or concern.

22. When users use or interact with third-party plug-ins that may be available on the

service, which include third-party social media widgets, share buttons, and/or login mechanisms, social plugins from Google, Facebook, Twitter, or other platforms, certain information from their social media accounts may be accessed by or shared by Roblox.

23. When users participate in contests, competitions, sweepstakes, giveaways, prize draws, or other promotions that Roblox runs or sponsors on their service, those promotions may involve the collection and use of certain contact information such as name, email address, and/or telephone number for prize fulfillment purposes as well as other information or contact needed for the specific promotion.

24. When users respond to or participate in voluntary research or demographic surveys or studies, Roblox may collect information about their likes and dislikes, game play interests and habits, general hobbies and interests, and other lifestyle information or preferences. These surveys may ask for personal information.

25. When users request or agree to location-based services from Roblox, Roblox may collect or track real-time or precise geolocation information to provide services such as tagging, check-in and content delivery, geo-based advertising, or other services that are dependent on knowing where the person is located. This information may be collected in combination with an identifier associated with your device to enable Roblox to recognize their mobile browser or device when they return to service.

26. When users browse, navigate, or otherwise interact with Roblox, Roblox collects information from their device and is kept and used to help them improve their service. These are known as cookies. A cookie is a small text file that is placed on your computer or mobile device when you visit a site. It enables the website to remember you, your actions, and preferences over a period of time.

27. Social networking and/or online gaming platform providers like Roblox typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the type of devices used and associated with each account.

28. Therefore, the computers and servers of Roblox are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and their use of Roblox, such as account access information, transaction information, and account application.

29. Roblox is considered an electronic communications service (ECS) provider because it provides its users access to electronic communications services as defined in 18

30. U.S.C. §§ 2510(15). Section 2703 of Title 18 of the United States Code sets out particular requirements that the government must meet in order to obtain access or disclosure of records communications, and other information from an ECS provider, and through this warrant, the government seeks such disclosures and the items identified in Attachment B.

31. In my training and experience, the types of information maintained by Roblox may constitute evidence and instrumentalities of the crimes under investigation, and will enable investigators to determine the identity of the unknown actor/actors involved in the blackmail and sextortion scheme of C.L. as well as other unknown victims. Among other things, the requested information may be relevant in confirming the identities of the user of the TARGET ACCOUNT; may assist in the identification of co-conspirators and/or victims; may provide precise location information to determine where the users of the TARGET ACCOUNT was/are located at the time of communication with the victim; may provide context to the communications between the victim

and TARGET TARGET; and may provide content relevant to the ongoing investigation into potential additional criminal activity committed by the users of the TARGET ACCOUNT.

32. The date range for the requested warrants is from January 1, 2022 to the present. Based on the information above, there is probable cause to believe that a search of the information described in Attachment A will reveal the items described in Attachment B, which are evidence, fruits, and instrumentalities of violations of 18 U.S.C. §2422(b) and potentially other federal offenses relating to child sexual exploitation. Therefore, I respectfully request that the Court issue the proposed search warrant.

AUTHORIZATION REQUEST

33. Based on the foregoing, I request that the Court issue the proposed search warrant, pursuant to 18 U.S.C. § 2703(c) and Federal Rule of Criminal Procedure 41.

34. I further request that the Court direct Roblox to disclose to the government any information described in Section I of Attachment B that is within its possession, custody, or control. Because the warrant will be served on Roblox, who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.

35. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, including by giving targets an opportunity to destroy or tamper with evidence, change patterns of behavior, notify confederates, and flee from prosecution.

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the Roblox account username (the “TARGET ACCOUNT”):

i. KK24wi

The TARGET ACCOUNT is stored at premises owned, maintained, controlled, or operated by ROBLOX Corp., a company headquartered in San Mateo, California, located at 970 Park Place, San Mateo, CA 94403.

ATTACHMENT B

Particular Things to be Seized

I. Information to be Disclosed by Roblox

To the extent that the information described in Attachment A is within the possession, custody, or control of ROBLOX Corp. ("Roblox"), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Roblox, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Roblox is required to disclose the following information to the government for the TARGET ACCOUNT listed in Attachment A::

1. All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;
2. All activity logs for the account and all other documents showing the user's posts and other Roblox activities since January 1, 2021;
3. All photos and videos uploaded by the TARGET ACCOUNT and all photos and videos uploaded by any user that have that user tagged in them since January 1, 2021, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
4. All profile information, including news feed information; status updates; videos, photographs, articles, and other items; notes; wall postings; friend lists; contacts lists; groups and networks of which the user is a member, including the groups; future and past event postings; comments; gifts; tags; and information about the user's access and use of Roblox applications;
5. All records or other information regarding the devices and internet browsers associated with, or used in connection with the TARGET ACCOUNT, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
6. All other records and contents of communications and messages made or received by the user since January 1, 2021, including in game, website chat, all public and private messages, chat history, forum posts, group wall posts, personal posts, video and voice calling history;

7. All other records and contents of communications and messages made or received by the user since January 1, 2021, including in game, website chat, all public and private messages, chat history, forum posts, group wall posts personal posts, video and voice calling history;
8. All IP logs, including all records of the IP addresses that logged into the accounts;
9. All past and present lists of friends/contact lists on the accounts, including blocked accounts;
10. All records of searches performed by the accounts;
11. The types of service utilized by the users;
12. The length of service (including start date) and the means and source of any payments associated with any of the services offered by Roblox (including any credit card or bank account number);
13. All privacy settings and other account settings;
14. All records pertaining to communications between Roblox and any person regarding the user or the user's Roblox account, including contacts with support services and records of actions taken;
15. Any and all linked and associated social media accounts; and
16. All Roblox accounts linked by machine cookie and browser information.

II. Information to be Seized by the Government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. § 2422(b) involving “KK24wi” and occurring from January 1, 2021 to the present. Specifically, for TARGET ACCOUNT identified on Attachment A, the following matters:

- (a) All information, documents, images, videos, and communications relating to attempts by any person to persuade, induce, entice, or coerce any minor to engage in sexual activity, prostitution, or creation or distribution of pornography;
- (b) All images or videos of minors or persons reasonably believed to be minors, to

include Victim;

- (c) All names, addresses, address books, and any lists of names and addresses of individuals who may have been in contact with or contacted by the operator of the TARGET ACCOUNT by use of the computer or by other means;
- (d) All information identifying persons seeking to persuade, induce, entice, or coerce any minor to engage in sexual activity, prostitution, or creation or distribution of pornography;
- (e) All communications relating to sexual activity involving children, threats/harassment of children or sexual activity with children;
- (f) All information related to membership in online groups, clubs, or services that make or provide child erotica, child pornography, or actual children to members; and
- (g) All information relating to personal contact and any other activities with minors.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
RECORDS PURSUANT TO FEDERAL RULES OF EVIDENCE
902(11) AND 902(13)**

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Google, Inc. and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Google, Inc. The attached records consist of _____.

I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Google, Inc., and they were made by Google, Inc. as a regular practice; and

b. such records were generated by Google, Inc.'s electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Google, Inc. in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by Google, Inc., and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Date

Signature